

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY C. WASHINGTON, a/k/a
TIMOTHY CHARLES
WASHINGTON, a/k/a PERRION
KEESEEE WASHINGTON, a/k/a
PERRION CHARLES
WASHINGTON, a/k/a PRION C.
WASHINGTON, a/k/a LESTER
JACKMAN, a/k/a LESTER BABY
FLY JACKMAN, a/k/a BABY FLY
WASHINGTON, a/k/a TIM
WASHINGTON, a/k/a TIMMY
WASHINGTON, a/k/a TIMMY S.
WASHINGTON, a/k/a TIMOTHY
WASHINGTON,

Defendant.

4:97-CR-3019

MEMORANDUM AND ORDER

This matter is before the Court on Defendant's Motion to Reduce Sentence and Request for Evidentiary Hearing (filing [285](#)). The defendant *may* be entitled to a reduction in sentence due to the retroactive application of the "Crack Cocaine Amendment" to the federal Sentencing Guidelines implementing the Fair Sentencing Act of 2010, effective November 1, 2011. The defendant should understand that the Court has made no determination whether the defendant is covered by the Amendment or whether the defendant, if covered by the Amendment, should be given a reduction. Those questions are yet to be determined.

IT IS ORDERED:

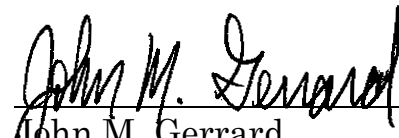
1. No later than September 4, 2012, the probation office shall provide the Court and counsel of record with a "Retroactive Sentencing Worksheet." If the assigned probation officer

requires additional time, a request may be made to the Court by e-mail.

2. The Clerk of the Court shall provide Mike Norton, Supervisory United States Probation Officer, with a copy of this Memorandum and Order.
3. On or before September 17, 2012, counsel of record shall confer and do one of the following:
 - A. File a stipulation signed by both counsel containing the following provisions: (i) an agreement that the defendant is eligible for a sentence reduction pursuant to [18 U.S.C. § 3582\(c\)](#) and [U.S.S.G. § 1B1.10](#), (ii) an agreement that the defendant may be resentenced without being present and without further notice, and (iii) an agreement regarding the recommended sentence; or
 - B. In lieu of the stipulation described in the previous paragraph, plaintiff's counsel shall contact the Court and arrange a telephone conference with the Court and defendant's counsel so that further progression of this case may be scheduled.
4. The Clerk of the Court shall set a case management deadline of September 17, 2012.

Dated this 24th day of July, 2012.

BY THE COURT:



John M. Gerrard
United States District Judge